

HB1082/116683/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1082

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Bromwell” and substitute “Delegates Bromwell, Kipke, Hayes, Reznik, Wilkins, Morhaim, Platt, Malone, Pena-Melnyk, B. Wilson, Folden, Pendergrass, Angel, Barron, Cullison, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, West, and K. Young”; strike beginning with “requiring” in line 4 down through “factors;” in line 8 and substitute “requiring a county superintendent of schools to approve or disapprove a certain change to a school health services program;”; in line 15, after “nurses” insert “, school health services personnel, and other school personnel”; in line 16, strike “determined to be suffering from” and substitute “reasonably believed to be experiencing”; in line 17, strike “training, procedures,” and substitute “procedures”; in the same line, after “nurses,” insert “school health services personnel,”; in line 19, after “education” insert “or local health departments, by local agreement”; in the same line, after “to” insert “either”; in the same line, after “officials” insert “or develop and implement a certain program”; strike beginning with “requiring” in line 20 down through “officials;” in line 21; in line 23, after “circumstances” insert “on or before a certain date each year”; in the same line, after “form;” insert “requiring the Department to submit certain information to the General Assembly on or before certain dates;”; in line 25, after “training” insert “, to require certain institutions of higher education to provide certain students with certain resources,”; in line 26, after “circumstances;” insert “providing that certain institutions of higher education are not required to obtain and store naloxone or certain other medications at certain locations; requiring certain institutions of higher education to report certain information to the Maryland Higher Education Commission on or before a certain date each year; requiring the Commission to submit certain information to the General Assembly on or before certain dates;”; and in line 27, after “Act;” insert “requiring the Department to convene a workgroup that includes certain individuals and interested stakeholders to evaluate certain programs,”

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develop certain proposals, and submit a certain report to the General Assembly on or before a certain date; requiring a county board of education to use certain efforts to implement certain requirements of this Act before certain funding is disbursed to the county board;”.

On pages 1 and 2, strike in their entirety the lines beginning with line 29 on page 1 down through line 8 on page 2, inclusive.

On page 2, in line 11, after “Section” insert “7-401 and”; in line 16, strike “and”; in the same line, strike “11-1203” and substitute “11-1204”; and in line 17, after “Prevention” insert “and 15-121”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 9 through 30, inclusive; and after line 31, insert:

“7-401.

(a) With the assistance of the county health department, each county board shall provide:

(1) Adequate school health services;

(2) Instruction in health education, including the importance of physical activity in maintaining good health; and

(3) A healthful school environment.

(b) The Department of Education and the Department of Health and Mental Hygiene jointly shall:

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(1) Develop public standards and guidelines for school health programs;
and

(2) Offer assistance to the county boards and county health departments in their implementation.

(c) (1) (i) Each county board shall designate a school health services program coordinator.

(ii) A county board may authorize the county health department to designate the school health services program coordinator.

(2) The school health services program coordinator shall:

(i) Implement State and local health policies in the public schools;

(ii) Ensure that public schools adhere to local health services guidelines; and

(iii) Communicate State and local health policies to the parents and guardians of public school students.

(3) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE county board shall grant the school health services program coordinator the authority to carry out the provisions of this subsection.

(II) A COUNTY SUPERINTENDENT SHALL APPROVE OR DISAPPROVE ANY PROPOSED CHANGE IN THE HIRING OR TERMINATION OF PERSONNEL IN CONNECTION WITH A SCHOOL HEALTH SERVICES PROGRAM.

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(4) The Department of Education shall conduct at least two meetings annually with all school health services program coordinators in the State.

(d) On or before December 1, 2015, and every 5 years thereafter, the Department shall report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly a summary of the information reported to the State Superintendent during the COMAR certification process.”.

On page 4, in line 10, after “PREVENTION” insert “, INCLUDING INFORMATION RELATING TO THE LETHAL EFFECT OF FENTANYL”; in line 21, after “POLICY” insert “IN ACCORDANCE WITH SCHOOL HEALTH GUIDELINES AND STATE LAWS AND REGULATIONS”; in line 22, after “NURSE” insert “, SCHOOL HEALTH SERVICES PERSONNEL, AND OTHER SCHOOL PERSONNEL”; in line 24, after “STUDENT” insert “OR OTHER PERSON LOCATED ON SCHOOL PROPERTY”; in the same line, strike “DETERMINED” and substitute “REASONABLY BELIEVED”; in the same line, strike “SUFFERING FROM” and substitute “EXPERIENCING”; and in the same line, strike “A NARCOTIC” and substitute “AN OPIOID”.

On pages 4 and 5, strike in their entirety the lines beginning with line 27 on page 4 down through line 3 on page 5, inclusive.

On page 5, in lines 4 and 7, strike “(4)” and “(5)”, respectively, and substitute “(1)” and “(2)”, respectively; strike beginning with “A” in line 11 down through “RESPONDS” in line 13 and substitute “ANY OF THE FOLLOWING INDIVIDUALS WHO RESPOND”; in line 15, after “EMERGENCY” insert “:

(1) A SCHOOL NURSE; OR

(2) OTHER SCHOOL HEALTH SERVICES PERSONNEL WHO ARE LICENSED OR CERTIFIED TO PRACTICE A HEALTH OCCUPATION UNDER THE HEALTH OCCUPATIONS ARTICLE;

strike beginning with “(I)” in line 16 down through the first “THE” in line 18 and substitute “**THE**”; in line 18, strike “**BOARD, IN COOPERATION WITH**” and substitute “**BOARD OR**”; in line 19, strike the comma; in the same line, after “**SHALL**” insert “**BY LOCAL AGREEMENT**”; in the same line, strike “**HIRE A**” and substitute “**:**”;

(I) HIRE A SUFFICIENT NUMBER OF EITHER COUNTY OR REGIONAL;

in the same line, strike “**OFFICIAL**” and substitute “**OFFICIALS; OR**”;

(II) DEVELOP AND IMPLEMENT A PROGRAM THAT PROVIDES THE COMMUNITY RELATIONS AND EDUCATION FUNCTIONS REQUIRED TO BE CONDUCTED BY COMMUNITY ACTION OFFICIALS IN PARAGRAPH (2) OF THIS SUBSECTION;

strike in their entirety lines 20 through 24, inclusive; in line 25, after “**A**” insert “**COUNTY OR REGIONAL**”; strike beginning with “**BE**” in line 26 down through “**(II)**” in line 28; and in line 30, strike “**(III)**” and substitute “**(II)**”.

AMENDMENT NO. 3

On page 6, in line 11, strike “**EACH**” and substitute “**ON OR BEFORE OCTOBER 1 EACH YEAR, EACH**”; in line 13, strike “**OR AT A RELATED SCHOOL EVENT**”; after line 17, insert:

(3) ON OR BEFORE DECEMBER 1, 2018, DECEMBER 1, 2019, AND DECEMBER 1, 2020, THE DEPARTMENT SHALL REPORT THE INFORMATION

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PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”;

in line 26, strike “**INCOMING**” and substitute “**EACH SENIOR HIGHER EDUCATION INSTITUTION TO REQUIRE INCOMING**”; in line 27, strike the second “**AND**” and substitute “**OR**”; and after line 27, insert:

“(2) EACH COMMUNITY COLLEGE TO PROVIDE INCOMING STUDENTS WITH RESOURCES THAT ALERT AND EDUCATE THE STUDENTS REGARDING HEROIN AND OPIOID ADDICTION AND PREVENTION; AND”.

On page 7, in line 1, strike “**(2) EACH**” and substitute “**(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH**”; after line 3, insert:

“(2) AN INSTITUTION IS NOT REQUIRED TO STORE AND OBTAIN NALOXONE OR OTHER OVERDOSE-REVERSING MEDICATION AT OFF-SITE LOCATIONS.”;

in line 6, strike “**AND HEALTH**” and substitute “**OR OTHER DESIGNATED**”; in line 7, strike “**A NARCOTIC**” and substitute “**AN OPIOID**”; in line 9, after “**MEDICATIONS;**” insert “**AND**”; strike beginning with the semicolon in line 10 down through “**YEAR**” in line 14; in line 15, after “**ACT,**” insert “**HEALTH PERSONNEL,**”; in line 16, after “**POLICE**” insert a comma; in the same line, strike “**HEALTH**” and substitute “**OTHER DESIGNATED**”; after line 20, insert:

“11-1204.

(A) ON OR BEFORE OCTOBER 1 EACH YEAR, EACH INSTITUTION OF HIGHER EDUCATION SHALL REPORT TO THE COMMISSION ON EACH INCIDENT AT

THE INSTITUTION THAT REQUIRED THE USE OF NALOXONE OR OTHER OVERDOSE-REVERSING MEDICATION.

(B) ON OR BEFORE DECEMBER 1, 2018, DECEMBER 1, 2019, AND DECEMBER 1, 2020, THE COMMISSION SHALL REPORT THE INFORMATION PROVIDED UNDER SUBSECTION (A) OF THIS SECTION TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

15-121.

(A) THIS SECTION APPLIES ONLY TO AN INSTITUTION OF HIGHER EDUCATION THAT AWARDS A DEGREE THAT AN INDIVIDUAL MAY USE TO MEET THE EDUCATIONAL REQUIREMENTS FOR LICENSURE UNDER THE HEALTH OCCUPATIONS ARTICLE AS A PHYSICIAN, ADVANCED PRACTICE NURSE, DENTIST, PHYSICIAN ASSISTANT, OR PODIATRIST.

(B) AN INSTITUTION OF HIGHER EDUCATION SUBJECT TO THIS SECTION SHALL OFFER INSTRUCTION IN SUBSTANCE USE DISORDERS, EFFECTIVE TREATMENT FOR SUBSTANCE USE DISORDERS, AND PAIN MANAGEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Department of Education shall:

(1) convene a workgroup of local health officers, behavioral and substance abuse disorder counselors and therapists, representatives of the Maryland Association of Boards of Education, the Public School Superintendents Association of Maryland, the Maryland State Education Association, AFT-Maryland, and other interested stakeholders to:

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(i) evaluate programs that provide behavioral and substance abuse disorder services in the public schools in the State; and

(ii) develop proposals to expand the programs evaluated under item (1) of this paragraph to other jurisdictions, if appropriate, including recovery schools; and

(2) on or before December 1, 2017, report its findings and recommendations determined under this section to the General Assembly in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That a county board of education shall use its best efforts to implement the requirements of Section 1 of this Act before the grant funding required in fiscal year 2019, in accordance with § 7-426.5(e) of the Education Article, as enacted by Section 1 of this Act, is disbursed to the county board of education.”;

and in line 21, strike “2.” and substitute “4.”.